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Attorney for Defendant – SIMS

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA, )

2:21-CR-026-ART-BNW

)

)

Plaintiff, )

)

v. )

)

GEORGE WASHINGTON SIMS, )

)

Defendant. )

)

**MOTION FOR PRE-PLEA PRESENTENCE REPORT**

COMES NOW, defendant GEORGE WASHINGTON SIMS, by and through his attorneys of record, JESS R. MARCHESE, ESQ., and CHRIS T. RASMUSSEN, ESQ., hereby submits and files this motion asking the court to direct the United States Probation Department to prepare a Pre-Plea Presentence Report.

DATED: July 19, 2023

Jess R. Marchese

JESS R. MARCHESE, ESQ.

Attorney for Defendant

**POINTS AND AUTHORITIES**

Defendant George Washington Sims has an upcoming trial date. In reviewing his criminal history, there are law enforcement contacts outside the current jurisdiction. As such, the undersigned is uncomfortable advising him as to what criminal his criminal history is as we are unaware of what convictions there are, whether he was represented by counsel, whether there were other cases open at the time, and all other salient information needed to properly calculate these numbers.

In addition, Mr. Sims has two gross misdemeanor convictions for Conspiracy to Commit a Crime in Clark County's Eighth Judicial District Court. Counsel is concerned that these two convictions might be considered "priors" to his current charges and thus enhance the criminal penalties against Mr. Sims.

As such, a Pre-Plea Presentence Report would be best to help to ascertain these facts.

Counsel has spoken to the United States Attorney handling this case and she does not object to this request.

DATED: July 19, 2023

/s/ Jess Marchese  
JESS R. MARCHESE, ESQ.  
Nevada bar #8175  
Attorney for Defendant

**ORDER**

**IT IS SO ORDERED**

**DATED:** 12:26 pm, July 20, 2023



**BRENDA WEKSLER**  
**UNITED STATES MAGISTRATE JUDGE**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 19<sup>th</sup> day of July, 2023 I filed a true and correct copy of the Defendant's MOTION via the ECF Filing system for the Southern District of Nevada to all registered parties.

/s/ Jess Marchese  
Employee of Marchese Law Offices